

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**CITY OF PARMA, OHIO,
on behalf of itself and all others
similarly situated,**

Plaintiff,

vs.

CINGULAR WIRELESS LLC,

Defendant.

) **Case No. 1:05 CV 1471**

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) **Judge Dan Aaron Polster**

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) **ORDER**

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On November 22, 2006, the Court issued a single order denying Parma's Motion for Reconsideration of the Court's November 3, 2006 Order (which dismissed this case without prejudice for lack of a case or controversy) (ECF No. 54) and denying Parma's Motion for Extension of Time to File Memorandum in Support of Motion to Reconsider the Court's November 3, 2006 Order (ECF No. 55). *See* ECF No. 56 ("November 22nd Order"). On November 29, 2006, counsel for Parma faxed a letter to the Court (with a copy to opposing counsel) asking that the Court amend the November 22nd Order to reflect the fact that he timely filed his Rule 59(e) motion.

Although it is arguable whether Parma timely filed its Rule 59(e) motion, upon further consideration the Court hereby **VACATES** its November 22nd Order (**ECF No. 56**),

GRANTS Parma's Motion for Extension of Time to File Memorandum in Support of Motion to Reconsider, etc. (**ECF No. 55**), and **HOLDS IN ABEYANCE** its ruling on Parma's Motion to Reconsider, etc. (**ECF No. 54**). Parma shall file its memorandum in support of motion for reconsideration no later than December 29, 2006.

IT IS SO ORDERED.

/s/Dan Aaron Polster November 30, 2006
Dan Aaron Polster
United States District Judge